

“(B) This section does not waive any protection from liability for Federal officers or employees under—

“(i) section 224; or

“(ii) sections 1346(b), 2672 and 2679 of title 28, United States Code, or under alternative benefits provided by the United States where the availability of such benefits precludes a remedy under section 1346(b) of title 28.

“(C) This section does not require that an automated external defibrillator be placed at any building or other location.

“(2) CIVIL ACTIONS UNDER FEDERAL LAW.—

“(A) IN GENERAL.—The applicability of subsections (a) through (c) includes applicability to any action for civil liability described in subsection (a) that arises under Federal law.

“(B) FEDERAL AREAS ADOPTING STATE LAW.—If a geographic area is under Federal jurisdiction and is located within a State but out of the jurisdiction of the State, and if, pursuant to Federal law, the law of the State applies in such area regarding matters for which there is no applicable Federal law, then an action for civil liability described in subsection (a) that in such area arises under the law of the State is subject to subsections (a) through (c) in lieu of any related State law that would apply in such area in the absence of this subparagraph.”.

## TWENTY-FIRST CENTURY RESEARCH LABORATORIES ACT

### HARKIN AMENDMENT NO. 2799

Ms. COLLINS (for Mr. HARKIN) proposed an amendment to the bill (S. 1268) to amend the Public Health Service Act to provide support for the modernization and construction of biomedical and behavioral research facilities and laboratory instrumentation; as follows:

On page 16, lines 14 and 15, strike “\$250,000,000 for fiscal year 2000, \$500,000,000” and insert “\$250,000,000”.

EXPRESSING THE SENSE OF THE SENATE THAT JOSEPH JEFFERSON “SHOELESS JOE” JACKSON SHOULD BE APPROPRIATELY HONORED FOR HIS OUTSTANDING BASEBALL ACCOMPLISHMENTS

### THURMOND AMENDMENT NO. 2800

Ms. COLLINS (for Mr. THURMOND) proposed an amendment to the resolution (S. Res. 134) expressing the sense of the Senate that Joseph Jefferson “Shoeless Joe” Jackson should be appropriately honored for his outstanding baseball accomplishments; as follows:

Strike all after the *Resolved* clause and insert the following:

**SECTION 1. SENSE OF THE SENATE THAT “SHOELESS JOE” JACKSON SHOULD BE RECOGNIZED FOR HIS BASEBALL ACCOMPLISHMENTS.**

(a) FINDINGS.—The Senate finds the following:

(1) In 1919, the infamous “Black Sox” scandal erupted when an employee of a New York gambler allegedly bribed 8 players of the Chicago White Sox, including Joseph Jeffers-

son “Shoeless Joe” Jackson, to throw the 1919 World Series against the Cincinnati Reds.

(2) In 1921, a criminal court acquitted “Shoeless Joe” Jackson of charges brought against him as a consequence of his participation in the 1919 World Series.

(3) Despite the acquittal, Commissioner Landis banned “Shoeless Joe” Jackson from playing Major League Baseball for life without conducting a hearing, receiving evidence of Jackson’s alleged activities, or giving Mr. Jackson a forum to rebut the allegations, issuing a summary punishment that fell far short of due process standards.

(4) During the 1919 World Series, Jackson’s play was outstanding—his batting average was .375, the highest of any player from either team; he had 12 hits, setting a World Series record; he did not commit any errors; and he hit the only home run of the Series.

(5) Not only was Jackson’s performance during the 1919 World Series unmatched, but his accomplishments throughout his 13-year career in professional baseball were outstanding as well—he was 1 of only 7 Major League Baseball players to ever top the coveted mark of a .400 batting average for a season, and he earned a lifetime batting average of .356, the third highest of all time.

(6) “Shoeless Joe” Jackson’s career record clearly makes him one of our Nation’s top baseball players of all time.

(7) Because of his lifetime ban from Major League Baseball, “Shoeless Joe” Jackson has been excluded from consideration for admission to the Major League Baseball Hall of Fame.

(8) “Shoeless Joe” Jackson passed away in 1951, and 80 years have elapsed since the 1919 World Series scandal erupted.

(9) Recently, Major League Baseball Commissioner Bud Selig took an important step by agreeing to investigate whether “Shoeless Joe” Jackson was involved in a conspiracy to alter the outcome of the 1919 World Series and whether he should be eligible for inclusion in the Major League Baseball Hall of Fame.

(10) Courts have exonerated “Shoeless Joe” Jackson, the 1919 World Series box score stands as a witness of his record setting play, and 80 years have passed since the scandal erupted; therefore, Major League Baseball should appropriately honor the outstanding baseball accomplishments of Joseph Jefferson “Shoeless Joe” Jackson.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Joseph Jefferson “Shoeless Joe” Jackson should be appropriately honored for his outstanding baseball accomplishments.

## GLACIER BAY FISHERIES ACT

### BINGAMAN AMENDMENT NO. 2801

Mr. DASCHLE (for Mr. BINGAMAN) proposed an amendment to the bill (S. 501) to address resource management issues in Glacier Bay National Park, Alaska; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Glacier Bay National Park Resource Management Act of 1999”.

**SEC. 2. DEFINITIONS.**

As used in this Act—

(1) the term “local residents” means those persons living within the vicinity of Glacier

Bay National Park and Preserve, including but not limited to the residents of Hoonah, Alaska, who are descendants of those who had an historic and cultural tradition of sea gull egg gathering within the boundary of what is now Glacier Bay National Park and Preserve;

(2) the term “outer waters” means all of the marine waters within the park outside of Glacier Bay proper;

(3) the term “park” means Glacier Bay National Park;

(4) the term “Secretary” means the Secretary of the Interior; and

(5) the term “State” means the State of Alaska.

### SEC. 3. COMMERCIAL FISHING.

(a) IN GENERAL.—The Secretary shall allow for commercial fishing in the outer waters of the park in accordance with the management plan referred to in subsection (b) in a manner that provides for the protection of park resources and values.

(b) MANAGEMENT PLAN.—The Secretary shall cooperate in the development of a management plan for the regulation of commercial fisheries in the outer water of the park in accordance with existing Federal and State laws and any applicable international conservation and management treaties.

(c) SAVINGS.—(1) Nothing in this Act shall alter or affect the provisions of section 123 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1999 (Public Law 105-277), as amended by section 501 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106-31).

(2) Nothing in this Act shall enlarge or diminish Federal or State title, jurisdiction, or authority with respect to the waters of the State of Alaska, the waters within Glacier Bay National Park and Preserve, or tidal or submerged lands.

(d) STUDY.—(1) Not later than one year after the date funds are made available, the Secretary, in consultation with the State, the National Marine Fisheries Service, the International Pacific Halibut Commission and other affected agencies shall develop a plan for a comprehensive multi-agency research and monitoring program to evaluate the health of fisheries resources in the park’s marine waters, to determine the effect, if any, of commercial fishing on—

(A) the productivity, diversity, and sustainability of fishery resources in such waters; and

(B) park resources and values.

(2) The Secretary shall promptly notify the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives upon the completion of the plan.

(3) The Secretary shall complete the program set forth in the plan not later than seven years after the date the Congressional Committees are notified pursuant to paragraph (2), and shall transmit the results of the program to such Committees on a biennial basis.

### SEC. 4. SEA GULL EGG COLLECTION STUDY

(a) STUDY.—The Secretary, in consultation with local residents, shall undertake a study of sea gulls living within the park to assess whether sea gull eggs can be collected on a limited basis without impairing the biological sustainability of the sea gull population in the park. The study shall be completed no later than two years after the date funds are made available.

(b) RECOMMENDATIONS.—If the study referred to in subsection (a) determines that the limited collection of sea gull eggs can